

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ARTEL HOPKINS,

Petitioner,

v.

MIKE DELOY, Warden at the  
Sussex Correctional Institution,

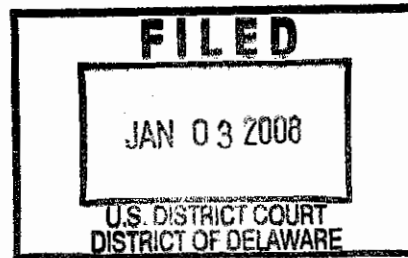
Respondent.

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CASE NUMBER

- 0 8 - 0 0 6 -

PETITIONER'S HABEAS CORPUS APPENDIX



PD scanned

Dated: 12/30/07

Artel Hopkins

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SUPERIOR COURT CRIMINAL DOCKET  
( as of 09/18/2007 )

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State of Delaware v. ARTEL J HOPKINS  
 State's Atty: DAVID HUME , Esq.  
 Defense Atty: JOHN S MALIK , Esq.

DOB: 07/12/1972

AKA: ARTEL HOPKINS  
 ARTEL HOPKINS

Assigned Judge:

## Charges:

Count	DUC#	Crim.Action#	Description	Dispo.	Dispo. Date
001	0402002032	S04020653R1	TRF.COC.>100 GR	GLTY	09/20/2004
002	0402002032	S04020654R1	PWITDW NSI CS	GLTY	09/20/2004
003	0402002032	S04020655R1	MAINT VEHICLE	GLTY	09/20/2004
004	0402002032	S04020656R1	CONSP 2ND	GLTY	09/20/2004
005	0402002032	S04020657R1	POSS DRUG PARAP	GLTY	09/20/2004

No.	Event Date	Event	Judge
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1	02/19/2004	CASE ACCEPTED IN SUPERIOR COURT. ARREST DATE: 02/03/2004 PRELIMINARY HEARING DATE: BAIL: CASH BAIL	2,112,000.00
	03/04/2004	ENTRY OF APPEARANCE BY JOHN SANDY, ESQ.	
3	03/04/2004	CERTIFICATE OF SERVICE FILED BY JOHN SANDY	
4	03/04/2004	CERTIFICATE OF SERVICE FILED BY JOHN SANDY	
5	03/24/2004	MOTION TO AMEND TERMS OF BOND FILED BY JOHN SANDY TO BE HEARD 3/26/04 AT 11:00	
6	03/26/2004	MOTION TO AMEND BOND GRANTED. BOND IS CHANGED TO \$5000000.00 SECURED_ON S04-02-0653 AND \$400.00 UNSECURED ON ALL REMAINING CHARGES CR-KIMMEL	BRADLEY E. SCOTT
7	04/02/2004	WAIVER OF INDICTMENT & INFORMATION FILED. ARREST DATE +ARRDAT+	
8	05/06/2004	ARRAIGNMENT CALENDAR - DEFENDANT WAIVED READING; ENTERED PLEA OF NOT GUILTY; JURY TRIAL DEMANDED. CASE REVIEW DATE: 5-17-04 AT 9 A.M.	HOWARD ALICIA B.
9	05/19/2004	CASE REVIEW CALENDAR: SET FOR FINAL CASE REVIEW. FCR: 7/7/04 AND JT: 7/14/04	

CERTIFIED

AS A TRUE COPY

ATTEST *Joyce M. Collins*  
 PROTHONOTARY

PER *Janell Meyer*  
 CLERK

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( as of 09/18/2007 )

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State of Delaware v. ARTEL J HOPKINS

DOB: 07/12/1972

State's Atty: DAVID HUME , Esq.

AKA: ARTEL HOPKINS

Defense Atty: JOHN S MALIK , Esq.

ARTEL HOPKINS

No.	Event Date	Event	Judge
10	06/02/2004	MOTION TO COMPEL FILED BY JOHN M. SANDY, ESQUIRE TO BE HEARD ON FRIDAY, JUNE 4, 2004 AT 11:00 A.M.	
11	06/04/2004	MOTION TO COMPEL WITHDRAWN BY JOHN SANDY	
12	06/18/2004	LETTER FROM JOHN MALIK, ESQ TO JUDGE GRAVES. RE: A CONTINUANCE REQUEST	
13	06/24/2004	NOTICE OF SERVICE - DISCOVERY REQUEST FILED BY JOHN S. MALIK, ESQ.	
14	06/25/2004	SUBSTITUTION OF COUNSEL FILED BY JOHN SANDY, ESQ. TO REPLACE JOHN MALIK.	
15	06/28/2004	SUBPOENA(8) ISSUED.	
16	06/28/2004	SUBPOENA(S) ISSUED.	
17	07/14/2004	CONTINUANCE REQUEST FILED BY THE STATE.	
18	08/13/2004	MOTION TO SUPPRESS FILED BY JOHN S. MALIK, ESQ. NOT MOTIONED FOR A SPECIFIC DATE OR TIME, ADVISED HIS OFFICE TO RE-NOTICE.	
19	08/13/2004	MOTION TO COMPEL DISCLOSURE OF CONFIDENTIAL INFORMANT, FILED BY JOHN S. MALIK, ESQ. NOT MOTIONED FOR A SPECIFIC DATE OR TIME, ADVISED HIS OFFICE TO RE-NOTICE.	
20	08/13/2004	MOTION TO COMPEL DISCOVERY, FILED BY JOHN S. MALIK, ESQ. NOT MOTIONED FOR A SPECIFIC DATE OR TIME, ADVISED HIS OFFICE TO RE-NOTICE.	
21	08/13/2004	LETTER FROM VIOLA E. CASEY(LEGAL ASSISTANT) TO COURT RE: MOTIONS FILED.	
22	08/19/2004	SUBPOENA(8) ISSUED.	
23	08/19/2004	SUBPOENA(1) ISSUED.	
24	09/01/2004	MOTION TO SUPPRESS FILED BY JOHN MALIK TO BE HEARD 9/3/04 AT 11:00	
25	09/01/2004		

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State of Delaware v. ARTEL J HOPKINS

DOB: 07/12/1972

State's Atty: DAVID HUME , Esq.

AKA: ARTEL HOPKINS

Defense Atty: JOHN S MALIK , Esq.

ARTEL HOPKINS

No.	Date	Event	Judge
		MOTION TO COMPEL DISCLOSURE OF CONFIDENTIAL INFORMANT FILED BY JOHN MALIK TO BE HEARD ON 9/3/04 AT 11:00	
26	09/01/2004	MOTION TO COMPEL DISCOVERY FILED BY JOHN MALIK TO BE HEARD ON 9/3/04 AT 11:00	
27	09/03/2004	MOTION TO COMPEL GRANTED, STATE TO PROVIDE INFORMATION BY 9/7/04.	GRAVES T. HENLEY
28	09/03/2004	MOTION FOR DISCOVERY GRANTED, STATE TO PROVIDE REMAINING DISCOVERY TO DEFENSE WHEN AVAILABLE. DEFENSE SAID STATE HAD MET MOST OF DISCOVERY REQUESTS.	GRAVES T. HENLEY
29	09/03/2004	MEMORANDUM FILED APPROVING MOTION TO SUPPRESS.	GRAVES T. HENLEY
30	09/08/2004	FINAL CASE REVIEW: NO PLEA/SET FOR TRIAL ON 9/14/04. MOTION TO SUPPRESS TO BE HEARD MORNING OF TRIAL. CR-WASHINGTON	GRAVES T. HENLEY
33	09/08/2004	SUBPOENA(S) ISSUED.	
32	09/13/2004	SUPPLEMENT TO DISCOVERY FILED BY DONALD BUCKLIN.	
31	09/14/2004	TRIAL CALENDAR/SUPPRESSION HEARING: MOTION GRANTED	STOKES RICHARD F.
34	09/14/2004	VOIR DIRE QUESTIONS FILED.	
35	09/14/2004	DEFENDANT'S PROPOSED VOIRDIRE QUESTIONS FILED BY ATTY. MALIK.	
36	09/14/2004	JURY SELECTED.	
37	09/14/2004	TRIAL CALENDAR- WENT TO TRIAL JURY STOKES/QUINN/REMENTER SUPPRESSION HEARING BEGINS. JUDGE STOKES GRANTS THE SUPPRESSION MOTION. TRIAL BEGINS 9/15/04 STOKES/WASHINGTON/WILLIAMS 9/16/04 STOKES/QUINN/WILLIAMS/REMENTER 9/17/04 STOKES/WASHINGTON/WILLIAMS	STOKES RICHARD F.
38	09/20/2004	JURY TRIAL - DEFENDANT FOUND GUILTY/PSI ORDERED. STOKES/KIMMEL/REMENTER DEFENDANT FOUND GUILTY_AS TO COUNT #1,#2,#3,#4,#5	STOKES RICHARD F.

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tate of Delaware v. ARTEL J HOPKINS  
State's Atty: DAVID HUME , Esq.  
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ARTEL HOPKINS

No.	Event Date	Event	Judge
		TRANSCRIPT OF PROCEEDINGS (VOLUME D) HELD IN SUPERIOR COURT ON 9/17/04 HEARD BY JUDGE STOKES FILED BY DAVID WASHINGTON	
54	07/01/2005	TRANSCRIPT OF PROCEEDINGS (VOLUME B) HELD IN SUPERIOR COURT BY 9/15/04 HEARD BY JUDGE STOKES FILED BY DAVID WASHINGTON	
55	07/01/2005	TRANSCRIPT OF PROCEEDINGS (SENTENCING) HELD IN SUPERIOR COURT ON 11/12/04 HEARD BY JUDGE STOKES FILED BY DAVID WASHINGTON	
56	07/01/2005	TRANSCRIPT OF PROCEEDINGS (VOLUME E) HELD IN SUPERIOR COURT ON 9/20/0R HEARD BY JUDGE STOKES FILED BY EILEEN KIMMEL	
57	07/01/2005	NOTICE OF APPEAL FILED TO SUPREME COURT. RECORD IS DUE NO LATER THAN 10 DAYS FROM RECEIPT OF TRANSCRIPT	
59	07/07/2005	LETTER FROM LISA SEMANS(SUPREME COURT) TO COURT RE: ADVISING THE RECORD MUST BE FILED NO LATER THAN 7/11/05.	
58	07/11/2005	RECORDS SENT TO SUPREME COURT VIA STATE MAIL	
60	07/15/2005	RECEIPT OF RECORDS ACKNOWLEDGED BY SUPREME COURT	
61	08/25/2005	LETTER FROM JOHN S. MALIK TO THE HON. T. HENLEY GRAVES RE: REQUESTING THE COURT TO FAX THE NEEDED COURT EXHIBITS FOR THE APPENDIX IN SUPPORT OF APPELLANT'S OPENING BRIEF. (GRANTED BY JUDGE BRADLEY) FAXED ON 8/25/05.	
62	09/19/2005	LETTER FROM TRACY DOTSON TO SUPREME COURT RE: ENCLOSING TWO TRANSCRIPTS, VOLUMES A AND C, THAT WERE NOT SENT WITH APPEAL ON 7/11/05	
63	03/22/2006	RECORDS RETURNED FROM SUPREME COURT.	
64	03/22/2006	MANDATE FILED: JUDGMENT OF SUPERIOR COURT AFFIRMED.	
65	07/12/2006	LETTER FROM JOHN DONAHUE, DAG. TO COURT RE: REQUEST FOR RETURN OF EVIDENCE.	
66	07/12/2006	ORDER: WHEREAS THIS 12TH DAY OF JULY, 2006, THE STATE'S REQUEST FOR RETURN OF EVIDENCE IS GRANTED. THE PROTHONOTARY SHALL RELEASE THE REQUESTED EVIDENCE TO THE CUSTODY OF DETECTIVE DAN WRIGHT OF THE	BRADLEY E. SCOTT

AS

SUPERIOR COURT CRIMINAL DOCKET  
( as of 09/18/2007 )

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State of Delaware v. ARTEL J HOPKINS  
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Defense Atty: JOHN S MALIK , Esq.

DOB: 07/12/1972  
AKA: ARTEL HOPKINS  
ARTEL HOPKINS

No.	Date	Event	Judge
		DELAWARE STATE POLICE.	
67	01/29/2007	MOTION FOR POSTCONVICTION RELIEF FILED.	
68	04/27/2007	MOTION FOR POSTCONVICTION RELIEF (R1) DENIED	STOKES RICHARD F.
69	05/21/2007	LETTER FROM CATHY L. HOWARD TO JOYCE COLLINS RE: PURSUANT TO SUPREME COURT RULE 9(B)(II), THE RECORD MUST BE FILED WITH THIS OFFICE NO LATER THAN JUNE 11, 2007.	
70	06/06/2007	RECORDS SENT TO SUPREME COURT.	
71	06/11/2007	RECEIPT OF RECORDS ACKNOWLEDGED BY SUPREME COURT.	

\*\*\* END OF DOCKET LISTING AS OF 09/18/2007 \*\*\*  
PRINTED BY: CSCJMEG

A6



Proth ✓  
⑦

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

STATE OF DELAWARE	:	CRA#S
	:	
v.	:	
	:	
ARTEL J. HOPKINS	:	
ID# 0402002032	:	<u>INFORMATION</u>

FILED PROTHONOTARY  
SUSSEX COUNTY  
2004 APR -2 PM 1:03

The Attorney General of the State of Delaware by information makes that ARTEL J. HOPKINS did commit the following offenses, to wit:

COUNT 1- TRAFFICKING IN COCAINE OF 100 GRAMS OR GREATER - S04-02-0653

ARTEL J. HOPKINS, on or about the 3rd day of February, 2004, in the County of Sussex, State of Delaware, did as a principle or an accomplice (under the full definition of 11 Del. Code Section 271) did knowingly and unlawfully possess 100 grams or greater of COCAINE, [a Narcotic Schedule I Controlled Substance, as classified under 16 Del. C., Section 4716(b)(4)] in violation of Title 16, Section 4753A(a)(2)(c) of the Delaware Code.

COUNT 2- POSSESSION WITH INTENT TO DELIVER COCAINE

S04-02-0654

ARTEL J. HOPKINS, on or about the 3rd day of February, 2004, in the County of Sussex, State of Delaware, did knowingly and unlawfully possess with intent to deliver COCAINE, [a Narcotic Schedule II Controlled Substance, classified under 16 Del. C. Section 4716(b)(4)], in violation of Title 16, Section 4751 of the Delaware Code.

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**COUNT 3 - MAINTAINING A BUILDING FOR KEEPING CONTROLLED**

**SUBSTANCES - S04-02-0655**

ARTEL J. HOPKINS, on or about the 3rd day of February, 2004, in the County of Sussex, State of Delaware, did knowingly keep or maintain a building (at or about Room 307, Best Western, SeafordDE) used for keeping or delivering controlled substances, in violation of Title 16, Section 4755 (a)(5) of the Delaware Code.

**COUNT 4 - CONSPIRACY SECOND DEGREE - S04-02-0656**

ARTEL J. HOPKINS, on or about the 3rd day of February, 2004, in the County of Sussex, State of Delaware, did when intending to promote the commission of a felony, did agree with Raymond Bacon to engage in conduct constituting the felony of Trafficking Cocaine, and did commit an overt act in furtherance of said conspiracy, in violation of Title 11, Section 512 of the Delaware Code.

**COUNT 5 - POSSESSION OF DRUG PARAPHERNALIA - S04-02-0657**

ARTEL J. HOPKINS, on or about the 3rd day of February, 2004, in the County of Sussex, State of Delaware, did use or possess with intent to use drug paraphernalia (to wit: defendant did possess glass pot, electric burner, spoons and scales) to prepare, process, test, store, contain, ingest, inhale or otherwise introduce into the human body a controlled substance, in violation of Title 16, Section 4771 of the Delaware Code.

**s/M. JANE BRADY**  
**ATTORNEY GENERAL**

  
**DEPUTY ATTORNEY GENERAL**

DATED: 4-2-04  
clb

A- 8

A-164

WRIGHT - Direct

1 Q And how long have you been so assigned?

2 A Nine years.

3 Q And just briefly, what is the main duties of  
4 the Special Investigation Unit?

5 A We primarily work in an undercover capacity.  
6 We investigate the illegal distribution or  
7 consumption of manufacturing illegal controlled  
8 substances.

9 Q And you were so employed on February 1st of  
10 this year?

11 A Yes, sir, I was.

12 Q In late January and early February, did you  
13 come to know an individual by the name of Pedro  
14 Marte?

15 A Yes, sir, I did.

16 Q How did you come to know him?

17 A I initiated an investigation where Mr. Marte  
18 was going to be delivering. I received information  
19 that Mr. Marte was delivering two kilograms of  
20 cocaine from New York to a subject in Delaware.

21 Q And what action did you take in response to  
22 that?

23 A We conducted an investigation, and we were

A-165

WRIGHT - Direct

1 able to arrest Mr. Marte in possession of two kilos  
2 of cocaine.

3 Q Was he charged as a result of that incident?

4 A Yes, he was.

5 Q Do you remember what the charges were?

6 A Trafficking cocaine, possession with intent  
7 to deliver, maintaining a vehicle, maintaining a  
8 building or motel, possession of a firearm during the  
9 commission of a felony, and I believe possession of a  
10 firearm by person prohibited.

11 Q And where did this occur?

12 A In Wilmington.

13 Q Did you talk to him after that arrest?

14 A Yes, I did.

15 Q What was the substance of your conversation?

16 A In reference to his investigation?

17 Q Yes.

18 A Mr. Marte admitted the offenses before him,  
19 and to continue the investigation, we asked Mr. Marte  
20 if he had any information or anything that would  
21 assist the Delaware State Police in furthering the  
22 trafficking cocaine investigation. At which time, he  
23 stated that he would like to help out. He had

A-166

WRIGHT - Direct

1 information to provide.

2 Q At that time, did you make any promises or  
3 inducements to him?

4 A No. We tell everybody that we will speak on  
5 their behalf. We don't have the authority -- only  
6 the Attorney General's Office has the authority to  
7 make any kind of promises or any kind of  
8 recommendation. Mr. Marte remained in custody  
9 throughout this investigation through the Department  
10 of Corrections.

11 Q And to your knowledge prior to February 3rd,  
12 did he have contact with the Deputy Attorney General?  
13 Who had authority?

14 A No, he did not.

15 Q What did you do with Mr. Marte in early  
16 February?

17 A I did an interview, and during the course of  
18 the investigation, it was revealed that there were  
19 two other subjects in Delaware that were actively  
20 seeking to purchase a quantity of cocaine. Due to  
21 the lateness, or I should say early morning hours,  
22 Mr. Marte was transported to the Department of  
23 Corrections, and we followed up the following day

A-167

WRIGHT - Direct

1 with the investigation.

2 Q And how did you go about following up that?

3 A I just responded to the Department of  
4 Corrections, pulled Mr. Marte out, and obtained  
5 further information about what he had said earlier.

6 Q Did you come to know the identification of  
7 one of these individuals?

8 A Yes. One of the subjects was known by the  
9 name as Raymond Bacon.

10 Q And how did your investigation proceed with  
11 Mr. Marte?

12 A After obtaining the information about the  
13 subjects that he had contact with prior to his arrest  
14 about actively speaking to the purchase of cocaine,  
15 it was taking this information, and really, we want  
16 to corroborate to be able to follow up, be sure that  
17 his information was accurate and correct.

18 Q How did you corroborate that information?

19 A We had Mr. Marte -- or I instructed  
20 Mr. Marte to place a call to Mr. Bacon.

21 Q Did you witness him doing this?

22 A Yes, I did.

23 Q What did your investigation lead there?



A-169

WRIGHT - Direct

1 known to be a drug dealer?

2 A Pedro Marte.

3 Q And what is a "reversal"?

4 A Reversal is where someone will actively seek  
5 to purchase, and they have the means to purchase the  
6 cocaine. We will provide the cocaine for the sale.

7 Q And did you do that in this case?

8 A Yes, we did.

9 Q How did that come about?

10 A After receiving the conversation and  
11 corroborating everything and talking with  
12 supervisors, when you first start talking about this  
13 quantity of cocaine, you are talking about a large  
14 sum of money.

15 Also, the No. 1 concern is officer safety,  
16 and actually, the safety of all parties that are  
17 going to be involved because you have to take into  
18 consideration the amount of money, and there's always  
19 the possibility in our mind that someone is going to  
20 take advantage of that situation and try not to go  
21 through with the deal, but to try to rip one or the  
22 other off.

23 If you have two people coming with a large

B-48

1 nothing but a normal trip to the store and back?

2 A. He proceeded from the Best Western to the  
3 Wal-Mart and right back, yes.

4 MR. MALIK: Thank you, Detective. I have no  
5 further questions.

6 Thank you, Your Honor.

7 MR. BUCKLIN: Your Honor, no further  
8 questions.

9 THE COURT: You may step down.

10 THE WITNESS: Thank you, Your Honor.

11 (Witness steps down.)

12 MR. BUCKLIN: The State's next witness is  
13 going to be Raymond Bacon.

14 THE BAILIFF: He's on his way up from the  
15 holding cell, Your Honor.

16 THE COURT: May I see counsel at the sidebar  
17 just for scheduling.

18 (Whereupon, counsel approached the bench and  
19 a discussion took place off the record. After  
20 which, counsel returned to the trial table and  
21 the following proceedings were had:)

22 RAYMOND BACON

23 was called as a witness by and on behalf of the State

DAVID WASHINGTON  
Official Court Reporter

A- 14

B-89

BACON - DIRECT

1 there, you want the same thing to come back out.

2 Q. The hot plate and you said possibly some  
3 baking soda, which bag were those located in?

4 A. I'm not sure even.

5 Q. Did you know what was in both bags?

6 A. Did I know what was in both bags?

7 Q. Yes.

8 A. After time went on, I did.

9 Q. When did you find out what was in both bags?

10 A. When Pedro opened the bag up.

11 Q. Was that much later you found out what was in  
12 both bags?

13 A. Not that much later.

14 Q. But at the hotel?

15 A. Yeah.

16 Q. Did Mr. Hopkins say anything when he brought  
17 the bags back to the car?

18 A. No.

19 Q. Did you say anything to him?

20 A. No.

21 Q. Where did you go from that house?

22 A. To Seaford.

23 Q. Where in Seaford did you go?

DAVID WASHINGTON  
Official Court Reporter

A- 15

B-90

BACON - DIRECT

1 A. Best Western.

2 Q. What did you do when you got to the Best  
3 Western?

4 A. Called Pedro, asked him what room he was in.

5 Q. When you went from the house to the Best  
6 Western, who was driving?

7 A. Artel.

8 Q. When you got to the Best Western, you said  
9 you called Pedro. Where were you when you called him?

10 A. The parking lot.

11 Q. Were you in the van or out of the van?

12 A. Getting out of the van, probably.

13 Q. Did you make any other calls?

14 A. No, not as I know of.

15 Q. Did you have any problem with your cell  
16 phone?

17 A. Yeah. Once I was in the room, I did.

18 Q. Did you have any out in the parking lot?

19 A. No.

20 Q. When you called Mr. Marte, what did he say?

21 A. He told me what room he was in: 307.

22 Q. What did you say?

23 A. All right, I be up there.

DAVID WASHINGTON  
Official Court Reporter

A- 16

C-25

MARTE - Direct

1 Whereupon,

2 PEDRO MARTE

3 was called as a witness by and on behalf of the State  
4 of Delaware and, having been first duly sworn, was  
5 examined and testified as follows:

6 DIRECT EXAMINATION

7 BY MR. BUCKLIN:

8 Q Good morning, sir. Will you please  
9 introduce yourself for the record and jury?

10 A My name is Pedro Marte.

11 Q And where do you currently reside?

12 A I'm from New York.

13 Q Right now where are you living?

14 A I am incarcerated right now in Gander Hill.

15 Q But prior to that, where were you from?

16 A Prior to me being incarcerated, New York.

17 Q Where in New York?

18 A Manhattan.

19 Q So New York City?

20 A Yes.

21 Q Have you ever been to Delaware before?

22 A Yes, sir.

23 Q When were you in Delaware previously?

C-26

MARTE - Direct

1 A I was incarcerated at SCI.

2 Q Do you remember when that was?

3 A Yes. I got incarcerated on September 2000.

4 I came in.

5 Q And why were you incarcerated?

6 A For trafficking.

7 Q Sorry, trafficking what?

8 A Cocaine, crack.

9 Q Were there any other charges associated with  
10 that?

11 A No, sir.

12 Q Was that what you pled to?

13 A Yes.

14 Q And what was the weight of the cocaine that  
15 you pled to? Do you remember?

16 A Fifty to hundred I believe, I'm not sure.

17 Q And this was in 2000?

18 A Yes, sir.

19 Q Did you spend any time in jail as a result  
20 of that?

21 A Yes, sir.

22 Q How long?

23 A I did 39 months.



C-28

MARTE - Direct

1 Q Have you been convicted of any other  
2 offenses in Delaware up until recently?

3 A No, sir. That's the only two.

4 Q After you went back to your mother's house  
5 in New York, did there come a time when you returned  
6 to Delaware?

7 A When I was over there, you know, I was just  
8 trying to get a job and stuff. So stuff just got  
9 hard, you know. I had to start -- I went over there  
10 on Interstate Compact. So I had to still pay my  
11 fines. So I just, you know, that's when I came back.

12 Q When did you come back?

13 A On January 30th I believe.

14 Q Where did you return to? Where did you come  
15 to Delaware?

16 A To Wilmington.

17 Q And why did you come back?

18 A I was supposed to do a deal with this guy.

19 Q When you say "do a deal", what does that  
20 involve?

21 A He was supposed to buy some drugs from me.

22 Q What kind of drugs?

23 A Cocaine.

C-29

MARTE - Direct

1 Q How much? What is the quantity?

2 A He asked for a kilo, and then on the way  
3 over there, he said, you know, if you have a little  
4 extra just throw a little bit. So he was going to  
5 buy one kilo.

6 Q But your intent when you entered Delaware  
7 was you were trying to sell two kilos of cocaine?

8 A One.

9 Q One?

10 A Yes.

11 Q Okay. And what happened when you got to  
12 Wilmington and tried to sell this?

13 A When I entered the room, I went in there,  
14 you know, expecting to do a deal, and when the guy,  
15 you know, sold the stuff, whatever, the cops just ran  
16 into the room, and I got incarcerated. I got, you  
17 know, locked up.

18 Q You got arrested?

19 A Yes.

20 Q Do you remember what the charges were that  
21 you got arrested for?

22 A Got arrested for, I believe, it was  
23 trafficking cocaine over hundred grams and committing

C-30

MARTE - Direct

1 a felony while having a firearm, and I don't remember  
2 all of them but with the vehicle having stash.

3 Q Was that maintaining a vehicle?

4 A Yes, I believe.

5 Q Were you charged with possession with intent  
6 to distribute that cocaine?

7 A I can't remember.

8 Q Did you talk to the police after your  
9 arrest?

10 A Yes, sir.

11 Q Do you remember the name of the police  
12 officer that you spoke to?

13 A I only remember one. I don't remember the  
14 other one because that is the one that I stood in  
15 touch with.

16 Q What was the name that you remember of the  
17 police officer?

18 A Mr. Daniel Wright.

19 Q Would you recognize him if you saw him  
20 again?

21 A Yes, sir.

22 Q Do you see him in the courtroom today?

23 A Yes, sir.

C-31

MARTE - Direct

1 Q Where is he seated? What is he wearing?

2 A He is right in front of me wearing a brown  
3 suit.

4 MR. BUCKLIN: Your Honor, let the record  
5 reflect Detective Wright has been identified. He is  
6 the only person on this side with a brown suit.

7 BY MR. BUCKLIN:

8 Q Do you remember talking to Detective Wright  
9 after your arrest?

10 A Yeah.

11 Q And what do you recall of that conversation?  
12 What happened?

13 A You know, basically, I was in a lot of  
14 trouble for -- plus the fact that I just had come out  
15 and already in trouble. So he basically, you know,  
16 made it clear that I was facing a lot of time plus my  
17 violation and all that stuff. So he said, you know,  
18 "Would you like to help yourself," and I said, "Of  
19 course."

20 Q What impression did you get that "help  
21 yourself" meant?

22 A Obviously, you know, I was just going to  
23 help myself doing whatever I had to do.

C-32

MARTE - Direct

1 Q Did he tell you what to do?

2 A He asked me do you know, you know, can  
3 you -- do you know anymore people here in Delaware  
4 that you could bring stuff to.

5 Q What did you say?

6 A I said yeah.

7 Q Did you identify to Detective Wright at that  
8 time who you thought you could do that with?

9 A Excuse me?

10 Q Did you tell Detective Wright who it was  
11 that you knew?

12 A Yeah.

13 Q What was the name that you told Detective  
14 Wright?

15 A It was a guy over in Wilmington Reggie,  
16 Reggie.

17 Q Was there anyone in Sussex that you spoke to  
18 him about?

19 A I said Bake.

20 Q Now is this -- you referred to him as Bake?

21 A Yes.

22 Q Is that his full name?

23 A That's the name I know him by.

C-33

MARTE - Direct

1 Q How do you know him?

2 A Because we did time together.

3 Q Do you remember when you first met him?

4 A Yes, it was during -- while I was in the Key  
5 Program that I met him, and then I saw him again over  
6 in Work Release Center. I was mandatory building  
7 worker, and he was on his way home, and then I met  
8 him again. We got together because we started to do  
9 this asbestos class. We started taking that class,  
10 and there was this guy, you know, we just started  
11 talking about, you know, just stuff to do when we go  
12 home and stuff.

13 Q When you say "stuff to do when you get  
14 home", what are you referring to?

15 A I'm saying, you know, we was looking forward  
16 to, you know, getting jobs and stuff.

17 Q So at that point, you weren't talking all  
18 the time about illegal activity?

19 A It came up. It was not something -- it was  
20 not a priority because of the simple fact that when I  
21 was incarcerated I wasn't thinking about doing this  
22 till, you know, I went out there and stuff started to  
23 happen that, you know, I had to pay bills, and I



C-34

MARTE - Direct

1     couldn't find a job. I couldn't find a job in that  
2     field because my license was from Delaware. So I had  
3     to change it to New York, and I didn't know how to do  
4     it over there.

5             So I went to a couple of jobs to a couple of  
6     places where they needed people, filled out some  
7     applications, but, you know, they would never call  
8     because of the felony stuff.

9             Q     When you returned to New York, did you keep  
10    in contact with this person named Bake?

11            A     Yeah.

12            Q     How did you keep in contact with him?

13            A     I just called him. He was still on the box  
14    so he was just, like, he was just laying low. He was  
15    trying do his thing right.

16            Q     Did you talk to him about your situation in  
17    New York looking for a job?

18            A     I don't think not like that because our  
19    conversation used to be like, you know, they were  
20    just quick. How you doing? What's up, basically.  
21    That's it.

22            Q     How did you know to contact him? How would  
23    you get in contact with him?

C-50

MARTE - Direct

1 Q And you just said that you set up a deal?

2 A Yes, sir.

3 Q How? Do you remember the conversation?

4 A I remember a little bit of it.

5 Q What do you remember of the conversation?

6 A It was just basically I was just calling him  
7 to see what he was, you know, what he was up to.

8 Well, I told him that I was coming down this way to  
9 do something. So, you know, if he -- either him or  
10 anybody wanted anything, and he said that he -- that  
11 his boy might want something, whatever, and then I  
12 believe he got in touch with him, and he told him  
13 that he wanted, you know, that he was going to try to  
14 because prior to -- I don't know how long before the  
15 deal that we was going to address the problem with  
16 someone else.

17 Q Did you specifically mention the word  
18 "cocaine" during this conversation?

19 A No.

20 Q Why not?

21 A Not -- cause you don't talk like that over  
22 the phone.

23 Q How do you talk over the phone?

C-51

MARTE - Direct

1 A You know you speak in codes.

2 Q So when you said "you were coming down this  
3 way and if anybody wanted anything," what did you  
4 mean by that?

5 A I was asking him if he knew anybody who  
6 wanted anything like they wanted to buy drugs or  
7 something so.

8 Q And do you remember specifically what his  
9 response was?

10 A He said that he had his boy. His boy, you  
11 know, would buy some.

12 Q And you said something about something  
13 wanted to try two?

14 A Yeah. Because he said he wanted two. He  
15 had said -- I believe I spoke to him personally over  
16 the phone, and he had told me if I wait up. If it  
17 was not over the phone, it was when the stuff  
18 happened, but he wanted to because he wanted to try  
19 to because couple weeks prior to that day, he had  
20 like -- he had gone to another state and had lost a  
21 big deal of money.

22 Q Okay. Did you talk about price?

23 A Yes.

C-52

MARTE - Direct

1 Q Did you talk to Bake about price?

2 A Yes.

3 Q Do you remember that conversation?

4 A You know, we was just discussing stuff.

5 Q How did the discussion go?

6 A He just told me to give him a number, and I  
7 believe I started with 24, and he said you know that  
8 was probably too much. So then I said either 24, 23  
9 and a half. I can't do no better than that.

10 Q Did he say any numbers, or did he agree to  
11 anything?

12 A You know he said it was good. That's why  
13 everything went down.

14 Q When you say 23 and a half, exactly what  
15 amount of money?

16 A \$23,500.

17 Q And that's for each kilo?

18 A Yes.

19 Q Was there a discussion about where the money  
20 was coming from?

21 A No, we didn't discuss exactly. His friend  
22 was going to get it.

23 Q How did you know that his friend was getting

C-53

MARTE - Direct

1 it?

2 A Because he had told me during the  
3 conversation, you know, that his friend was going to.  
4 You know, he was going to try to. I'm not sure if he  
5 was there with him or if he called him, but I know  
6 that he was discussing it. I can't remember.

7 Q And did he ever mention his friend's name?

8 A He mentioned it, but I didn't remember the  
9 name. He just mentioned it.

10 Q Did he mention it during that telephone  
11 conversation?

12 A Yes.

13 Q And this is the same telephone conversation  
14 that the two detectives were monitoring?

15 A Yes.

16 Q Did you have -- do you remember if when you  
17 heard the name, whatever it was, if you knew the  
18 person he was talking about?

19 A No. I never met him before.

20 Q Do you have any concerns in the sale or  
21 purchase of cocaine when you are dealing with  
22 somebody you don't know?

23 A No, because it was, you know, it was a

C-54

MARTE - Direct

1 friend of mine introduced me to somebody that he  
2 trusts so it was okay.

3 Q How did you know it was somebody that he  
4 trusted?

5 A Because when he said his name, he also  
6 said -- he reminded me you remember the guy I was  
7 telling you about. You know, he had the big rims on  
8 the truck, whatever. I said yeah. Well that's him,  
9 whatever. I said okay.

10 Q What plans did you make to exchange the  
11 money and the cocaine?

12 A What plans?

13 Q Yes.

14 A Well, I told him I was going to call him  
15 when I was around, and that was it. We set up a  
16 time. I believe it was either one or two.

17 Q Did he or you ever say what city you were  
18 coming down to?

19 A If I'm not mistaken, I said I was going to  
20 make a stop in Wilmington. No, I think I said -- I  
21 am not hundred percent sure -- I believe I said  
22 Wilmington and then come down here and keep going  
23 down state. That's, you know, as far as I can



C-55

MARTE - Direct

1 remember.

2 Q Do you remember whether or not you said  
3 anything about a place to meet?

4 A No. I just told him when I -- you know,  
5 when I'm around, I'm going to give you a call.

6 Q And was there any response to that?

7 A He said all right. He said it was okay.

8 Q Did you have any other conversations that  
9 same day with this person known as Bake?

10 A Not that I can remember. I believe I went  
11 back to prison after that.

12 Q What did you have -- what happened? You  
13 said you went back to prison. Did you see Detective  
14 Wright after you went back to prison?

15 A He took me, and then that was it. I just  
16 had to wait for the next day.

17 Q So the next day, did you see Detective  
18 Wright?

19 A I saw him in the hotel.

20 Q Do you remember how you got to the hotel?

21 A Yeah, I was escorted by another detective.  
22 He was playing the part.

23 Q What part was he playing?

C-68

MARTE - Cross

1 A Yes, sir.

2 Q You were also aware that you were facing  
3 additional time beyond the minimum mandatory time on  
4 those charges, right?

5 A It was just when they told me what I was  
6 facing, they didn't make nothing else. They didn't  
7 tell me no other time. They just said that. You are  
8 facing 18 years in jail minimum mandatory.

9 Q Eighteen minimum mandatory?

10 A Yes.

11 Q Now, in order to avoid -- strike that  
12 question. You ultimately did strike a plea bargain  
13 with the State, correct?

14 A Yes, sir.

15 Q In that plea bargain, you received a charged  
16 trafficking cocaine, right?

17 A Yes.

18 Q But it was first level trafficking between 5  
19 and 50 grams, right?

20 A Yes, sir.

21 Q And on that charge, you only received a  
22 three-year minimum mandatory sentence, right?

23 A Yes, sir.

C-69

MARTE - Cross

1 Q And you received a probationary sentence to  
2 follow that as well of three years, correct?

3 A Yeah, but I received six years suspended  
4 after three years mandatory.

5 Q So that means when it suspended six years,  
6 the first three would be in jail minimum mandatory,  
7 right?

8 A Yes.

9 Q Then the second three years would be served  
10 on probation; is that right?

11 A Yeah.

12 Q In connection with that case to come down  
13 from 18 years minimum mandatory to three years  
14 minimum mandatory with three years probation to  
15 follow, did you engage in any cooperation with the  
16 government, with the State?

17 A No, sir.

18 Q They just gave you that deal straight up?

19 A Because of my lawyer. You know, I had two  
20 lawyers. So basically they do what they have to do.

21 Q But it's your testimony that you did not  
22 cooperate in any way against any individual back  
23 then?

C-71

MARTE - Cross

1 So by the time they accepted my probation, I had  
2 already been in trouble and made bail and was now  
3 working labor in New York.

4 Q You said you had been working where in New  
5 York?

6 A I was working in a hotel in a restaurant.

7 Q So when exactly, if you recall, did you get  
8 out of jail in Delaware on your -- this would have  
9 been the February 2000 trafficking charge?

10 A December 11th. I believe it was either  
11 December 11th or the 12th.

12 Q December 11th was that in 2000?

13 A 2003.

14 Q 2003. Okay. Then it took approximately  
15 three months in order to get picked up with a  
16 probation officer in New York to conduct your  
17 supervision?

18 A It took something like that, yes.

19 Q And you had to make -- write in reports,  
20 written reports back to Delaware until -- excuse me.  
21 You had a New York probation officer supervise you?

22 A Yes, I am saying all I did was just write  
23 the paper. That was it.

C-72

MARTE - Cross

1 Q When you did ultimately get a New York  
2 probation officer --

3 A Yes.

4 Q -- did you meet with that probation officer?

5 A Yes, sir.

6 Q Did you discuss with that probation officer  
7 your \$18,000 fine obligation?

8 A I do not remember.

9 Q Did that probation officer indicate to you  
10 on your first meeting we have to take care of this  
11 \$18,000 fine?

12 MR. BUCKLIN: May we approach, Your Honor?

13 (Whereupon, counsel approached the bench and  
14 the following proceedings were had:)

15 MR. BUCKLIN: By my calculation, Your Honor,  
16 he got out of jail and went to New York on  
17 December 11th of 2003. And it wasn't until three  
18 months later that he got a New York probation  
19 officer, that would be January either February or  
20 March after this incident. So I don't see the  
21 relevance of anything that happened prior to or  
22 including cooperation up to this incident because he  
23 never had this conversation with any probation

C-84

MARTE - Cross

1 Q You wanted to avoid getting back in the drug  
2 business?

3 A Yes, sir.

4 Q But here it's your testimony to the  
5 prosecutor around about January the 30th of this  
6 year, since things were tough and you had to pay this  
7 fine, you decided on your own to get back in the drug  
8 business, right?

9 A Yes.

10 Q This was less than two months after being  
11 released from a 39-month prison sentence, right?

12 A Yes.

13 Q Now after you were -- when you struck this  
14 deal in Delaware with the other individual, you said  
15 that you were going to bring down one kilogram of  
16 cocaine?

17 A Yes.

18 Q And is it your testimony here that from the  
19 time you got out on December 11th until this one  
20 kilogram of cocaine, you had no other prior drug  
21 dealing?

22 A In New York, I did.

23 Q When did you start up your drug dealing in

C-116

MARTE - Redirect

1 Q Which one of those did you see him touch?

2 A I believe he touched -- I think he looked at  
3 both of them, but I guess he was concerned about the  
4 one that was already open. I'm not a hundred percent  
5 sure, but I believe he had the one that was already  
6 open. It was all, you know, messed up. So I guess  
7 he was checking that one out.

8 Q And what happened while he was doing that?

9 A That's when the police came into the room  
10 and arrested everybody.

11 Q And you said arrested everybody?

12 A Yes, sir.

13 Q They took you back into custody?

14 A Yes, sir.

15 Q You didn't receive any charges out of this  
16 incident, correct?

17 A No, sir.

18 Q Prior to the drugs coming into the room, did  
19 you see them?

20 A Yes.

21 Q The two kilos of cocaine?

22 A Yes, sir.

23 Q Was there anything different in the packing



E-120

1 bolstered by the corroboration that you find in that  
2 video-tape. If the video-tape were the only evidence  
3 that we were going to present to you, this trial may  
4 have been different. It may have been shorter.

5 But I don't know if you would agree or not  
6 that you may have more faith in a process when poker is  
7 played with the cards up and they are all on the table  
8 than when some of them are kept concealed underneath  
9 the table and only a few are placed up for you to view.

10 You have seen all of the evidence. You have  
11 seen detailed accounts from the witnesses of what they  
12 were doing over the two-day period, and that puzzle  
13 shows a picture of Mr. Hopkins -- and you have seen it  
14 on the screen -- knowingly in possession of over two  
15 thousand grams of cocaine. Forty-seven thousand  
16 dollars of cash was brokered for that deal.

17 He was there because he knew what was  
18 happening. Nobody had to tell him what was happening.  
19 He took actions in that room and made statements like  
20 "beat for six"; "I am waiting for my guy in Houston."  
21 Absent that, if you turned off the sound and watched  
22 the choreographed actions that he took in that room,  
23 knowing that he does it without instruction, he had to

EILEEN G. KIMMEL  
OFFICIAL COURT REPORTER

A-38

D-51

MARTINEZ - DIRECT

1 Investigations Unit then on February 3rd of this year?

2 A. Yes, I was.

3 Q. Do you remember or did you take part in an  
4 undercover operation on that day?

5 A. Yes.

6 Q. What were your duties as far as that  
7 operation?

8 A. I assisted Detective Wright with obtaining  
9 the cocaine from the Custom's Service in Wilmington.  
10 I took custody of it. I also took custody of a second  
11 kilo of cocaine, which was taken from the Superior  
12 Court here at the Prothonotary's Office to be used in  
13 this investigation. I assisted him in obtaining a  
14 hotel room at the Best Western Lodge, I believe it  
15 was, in Seaford, as well as maintaining custody of the  
16 cocaine at that time and transporting it to the room  
17 upon getting a phone call.

18 Q. Did you have any role in collecting and  
19 cataloging the evidence seized in this case?

20 A. Yes.

21 Q. What was that role?

22 A. Upon executing the arrest of the defendants,  
23 I was then in charge with collecting all the evidence

D-81

MARTINEZ - DIRECT

1 just briefly?

2 THE COURT: Yes.

3 (Whereupon, counsel approached the bench and  
4 the following proceedings were had:)

5 MR. BUCKLIN: Your Honor, we want to you give  
6 you the heads-up. There is other evidence stickers on  
7 the next. It will be explained that this kilo of  
8 cocaine was actually held in the Superior Court.

9 THE COURT: That was the Bodnari case.  
10 Everybody understands this is a reversal.

11 MR. BUCKLIN: I will ask him quickly about  
12 that for the jury's idea.

13 THE COURT: Sure.

14 MR. MALIK: No problem with that.

15 MR. BUCKLIN: I wanted to point that out.

16 THE COURT: Sure.

17 (Whereupon, counsel returned to the trial  
18 table and the following proceedings were had:)

19 MR. BUCKLIN: Your Honor, I have shown the  
20 next proposed exhibit to defense counsel. If there  
21 isn't any objection, I'd like to make it the next  
22 State's Exhibit.

23 MR. MALIK: No objection, Your Honor.

DAVID WASHINGTON  
Official Court Reporter

A- 40

D-82

MARTINEZ - DIRECT

1 THE COURT: It's admitted.

2 THE CLERK: Admitted as State's Exhibit No.  
3 20.

4 MR. BUCKLIN: May I approach the witness?

5 THE COURT: Sure.

6 BY MR. BUCKLIN:

7 Q. Detective Martinez, I am handing you was  
8 marked as State's Exhibit No. 20. Do you recognize  
9 what I handed to you?

10 A. Yes.

11 Q. What is that?

12 A. It's a brown evidence bag containing  
13 approximately one kilo or kilogram of cocaine, the  
14 second kilo.

15 Q. Did you place this into evidence?

16 A. Yes.

17 Q. With the evidence bag?

18 A. Yes.

19 Q. Can you please open it and confirm. Now,  
20 Detective, you have taken something out of that  
21 evidence. What is that you got in your hands right  
22 now?

23 A. It's the second evidence bag that contained

D-83

MARTINEZ - DIRECT

1 the same kilo of cocaine from a previous drug  
2 investigation that I was involved in as well. And by  
3 looking at it, it's still consistent with the same  
4 kilo of cocaine.

5 Q. The other evidence bag, where is that from?

6 A. This is a case that has already been  
7 adjudicated here in Sussex County. I believe a 1999  
8 case.

9 Q. How did you come to have these drugs  
10 originally?

11 A. We needed a second kilo. I was then asked to  
12 contact Deputy Attorney General Adam Gelof here in the  
13 Attorney General's Office and attempted to obtain the  
14 second kilo. That's how we obtained this one.

15 Q. What did you do to obtain this second kilo  
16 from Deputy Attorney General Adam Gelof?

17 A. Can I take a look at it to refer --

18 Q. You need to refer to notes?

19 A. Yes.

20 Q. If that refreshes your recollection, please  
21 read them and let us know if your recollection is  
22 refreshed.

23 A. Mr. Gelof wrote a motion for release of

D-84

MARTINEZ - DIRECT

1 evidence, dated February 3rd, 2004, requesting that  
2 this particular kilogram be released from the  
3 Prothonotary's evidence locker to the Delaware State  
4 Police to be used in this drug investigation.

5 Q. To your knowledge, was that motion granted?

6 A. Yes, it was.

7 Q. What did you do after that motion was  
8 granted?

9 A. I was taken to the evidence locker here in  
10 the Superior Court. The kilogram was taken out of the  
11 locker, at which point, I took pictures of it when it  
12 was taken from the locker and then I transported it to  
13 the motel in Seaford, at which time I processed the  
14 kilogram to remove some of the evidence tape so that  
15 we can -- obviously, in this particular investigation,  
16 we didn't want evidence tape all over the kilogram of  
17 cocaine.

18 Q. Why not?

19 A. We wanted to give the impression that the  
20 subjects involved in this case were getting an actual  
21 kilo of cocaine from a street dealer and no evidence  
22 from the Delaware State Police.

23 Q. And did you keep this kilo of cocaine in your

D-85

MARTINEZ - DIRECT

1 possession and custody?

2 A. Yes.

3 Q. Did there come a time when the kilo of  
4 cocaine was out of your possession and custody?

5 A. Yes, sir.

6 Q. When was that?

7 A. The two kilos of cocaine were in my custody  
8 until I would receive a phone call from Marte, who  
9 then asked me to respond to his room. At which time,  
10 I took both kilos of cocaine in plastic bags and  
11 handed it to him and returned back to the room.

12 Q. Were you able to see in the room at all?

13 A. No.

14 Q. Did these kilos of cocaine come back into  
15 your possession at any time?

16 A. Yes.

17 Q. When did they come back into your possession?

18 A. Approximately five minutes later.

19 Q. Were they in substantially the same  
20 condition?

21 A. This particular kilo of cocaine, what I did  
22 was to hide the stains from the original  
23 investigation, I wrapped it in newspaper with black



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR SUSSEX COUNTY

*Malik*  
11-19-04

STATE OF DELAWARE

VS.

ARTEL J HOPKINS

Alias: JERMAINE A HOPKINS

DOB: 07/12/1972

SBI: 00254263

CASE NUMBER:  
0402002032

CRIMINAL ACTION NUMBER:  
S04-02-0653I  
TRF.COC.>100 GR(F)  
S04-02-0654I  
PWITD NSII CS(F)  
S04-02-0655I  
MAINT BUILDING(F)  
S04-02-0656I  
CONSP 2ND(F)  
S04-02-0657I  
POSS DRUG PARAP(M)

SENTENCE ORDER

NOW THIS 12TH DAY OF NOVEMBER, 2004, IT IS THE ORDER OF  
THE COURT THAT:

The defendant is adjudged guilty of the offense(s) charged.  
The defendant is to pay the costs of prosecution and all  
statutory surcharges.

AS TO S04-02-0653-I : TIS  
TRF.COC.>100 GR

The defendant is to pay a fine in the amount of \$400000.00  
of which \$400000.00 is suspended (see attachment).

Effective November 12, 2004 the defendant is sentenced  
as follows:

- The defendant is placed in the custody of the Department  
of Correction for 25 year(s) at supervision level 5 with  
credit for 284 day(s) previously served

- Suspended after serving 15 year(s) at supervision level  
5

\*\*APPROVED ORDER\*\*

1

November 12, 2004 13:11

A- 45

STATE OF DELAWARE

VS.

ARTEL J HOPKINS

DOB: 07/12/1972

SBI: 00254263

- For 6 month(s) supervision level 4 WORK RELEASE

- Followed by 1 year(s) at supervision level 3

- Hold at supervision level 5

- Until space is available at supervision level 4 WORK RELEASE

The first 8 years of this sentence is a mandatory term of incarceration pursuant to DE164753AA2CFB .

Probation is concurrent to any probation now serving.

AS TO S04-02-0654-I : TIS  
PWITD NSII CS

The defendant is to pay a fine in the amount of \$5000.00 of which \$5000.00 is suspended. (see attachment).

- The defendant is placed in the custody of the Department of Correction for 10 year(s) at supervision level 5

- Suspended after serving 3 year(s) at supervision level 5

- For 18 month(s) supervision level 3

The first 3 years of this sentence is a mandatory term of incarceration pursuant to DE164751000CFC .

Probation is concurrent to any probation now serving.

AS TO S04-02-0655-I : TIS  
MAINT BUILDING

- The defendant is placed in the custody of the Department of Correction for 3 year(s) at supervision level 5

- Suspended for 18 month(s) at supervision level 2

STATE OF DELAWARE  
VS.  
ARTEL J HOPKINS  
DOB: 07/12/1972  
SBI: 00254263

Probation is concurrent to any probation now serving.

AS TO S04-02-0656-I : TIS  
CONSP 2ND

- The defendant is placed in the custody of the Department of Correction for 2 year(s) at supervision level 5

- Suspended for 1 year(s) at supervision level 2

Probation is concurrent to any probation now serving.

AS TO S04-02-0657-I : TIS  
POSS DRUG PARAP

- The defendant is placed in the custody of the Department of Correction for 1 year(s) at supervision level 5

- Suspended for 1 year(s) at supervision level 2

Probation is concurrent to any probation now serving.

SPECIAL CONDITIONS BY ORDER

STATE OF DELAWARE

VS.

ARTEL J HOPKINS

DOB: 07/12/1972

SBI: 00254263

CASE NUMBER:

0402002032

The defendant shall pay any monetary assessments ordered during the period of probation pursuant to a schedule of payments which the probation officer will establish.

Have no contact with Pedro Marte

Have no contact with codef., Raymond Bacon

While at Level 3, the defendant shall perform 5 hour(s) to 35 hours of community service per week unless fully employed.

Obtain and remain gainfully employed.

Should the defendant be unable to complete financial obligations during the period of probation ordered, the defendant may enter the work referral program until said obligations are satisfied as determined by the Probation Officer.

Be evaluated for substance abuse and follow any recommendations for counseling, testing or treatment deemed appropriate.

Defendant loses driving licenses/privileges pursuant to statute .



JUDGE RICHARD F STOKES

PROOF OF SERVICE

I, Artel Hopkins, declare: I am a resident of Sussex Correctional Institution, in the county of Sussex, State of Delaware.

On December 30, 2007, I served the attached: Petitioner's Habeas Corpus Appendix on the parties herein by placing true correct copies thereof, enclosed in a sealed envelope, with postage thereon fully paid, in the United States Mail in a deposit box so provide at the above-named correctional institution in which I am presently confined, and forward to :

Beau Biden  
Attorney General  
State of Delaware  
844 North French St., 6th Fl.  
Wilmington, DE 19801

Dated: 12/30/07

Artel Hopkins